

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Casmalia Community Services District,	
	Complainant,
	vs.
Unocal Corporation, also known as Casmite Water System,	
	Defendant.

Case 03-09-001  
(Filed September 2, 2003)

In the Matter of the Application of The Casmite Corporation for a Certificate of Public Convenience and Necessity to Operate a Public Utility Water System Near Casmalia in the County of Santa Barbara and to Establish Rates for Service.

Application 03-12-024  
(Filed December 22, 2003)

**ORDER EXTENDING STATUTORY DEADLINE**

**Summary**

Pub. Util. Code § 1701.5(a) provides that ratesetting cases shall be resolved within 18 months of the date the scoping memo is issued unless the Commission makes findings why that deadline cannot be met and issues an order extending that deadline. In this proceeding, the 18-month deadline for resolving this matter is September 6, 2005 (the first business day after the actual deadline). The

parties had requested that release of the Administrative Law Judge's proposed decision be stayed to allow a final (and ultimately unsuccessful) effort to settle the proceeding. Consequently, the Commission adopted Decision (D.) 05-08-026 extending the deadline for resolving the proceeding. Because Pub. Util. Code § 1701.5(a) limits an extension order to 60 days, D.05-08-026 extended the proceeding deadline only to November 8, 2005.

The Commission has held the proposed decision to at least October 27, 2005. Also, the proposed decision requires one of the parties, Unocal, to notify the Commission within 60 days of the adoption of the decision as to whether it will take certain actions to avoid the permanent imposition of sanctions. Because of these uncertainties, the existing deadline of November 8, 2005, for completing this proceeding should be extended. As a result, an additional 60-day extension order is required under Pub. Util. Code § 1701.5(a).

### **Waiver of Comment Period**

Under Rule 77.7(f)(10) of the Commission's Rules of Practice and Procedure (Rule), the Commission may reduce or waive the period for public review and comment of draft decisions extending the deadline for resolving ratesetting proceedings. Accordingly, pursuant to Rule 77.7(f)(10), the otherwise applicable period for public review and comment on an extension order issued pursuant to Pub. Util. Code § 1701.5(a) is being waived.

### **Findings of Fact**

1. The scoping memo in this proceeding was issued on March 3, 2004.
2. The normal 18-month statutory deadline for resolving this ratesetting proceeding was extended until November 8, 2005, by D.05-08-026.

3. An additional 60-day extension for resolving this proceeding is required because of continuing uncertainties about how and when this proceeding can be concluded.

4. No party has opposed the extension of the 18-month statutory deadline in this proceeding.

**Conclusion of Law**

Effective immediately, the 18-month statutory deadline imposed by Pub. Util. Code § 1701.5(a) should be extended for a period of 60 days beyond November 8, 2005.

**IT IS ORDERED** that the 18-month statutory deadline in this proceeding, September 6, 2005, is extended until January 9, 2006.

This order is effective today.

Dated \_\_\_\_\_, at San Francisco, California.